

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 1, 1956
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Palmer, White, Mayor Miller
Absent: Councilman Pearson

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by DR. MARVIN VANCE, First Methodist Church, 1200 Lavaca Street.

Councilman White moved that the Minutes of October 25, 1956, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

The Council had before it the appeal of MR. KENNETH L. GORBET from the decision of the City Planning Commission, rendered October 16th, denying his application for special permit to construct an office building for his lawn sprinkling service on his property located at 35th and Glenview. MR. GORBET was present in his own behalf. MR. HENRY LOVELL, SR., was present, not to oppose the building but to oppose the set-back as planned. Mr. Lovell's property was adjoining. The architect explained the set-back plans as it was the intent to save some large trees on the lot. After discussion, the Council decided to make a personal inspection of the property.

MR. ERNEST SMITH, 5302 Wasson Road, came before the Council requesting a separate water meter. His property was outside the city limits, and he was now tied on to another line through another meter. The Mayor asked that a report be made on this request and that Mr. Smith be notified.

MR. W. G. CARNAHAN, 4407 Avenue H, appeared before the Council asking that something be done to kill the mosquitoes in Waller Creek, besides the spraying. He suggested that Shipe Pool be filled and emptied at intervals through the winter months to flush the creek. The Mayor stated studies had been made on drilling wells at the heads of the creeks and keeping the water flowing; but in the meantime, the City would work on the problem now to give him relief.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, UNDER Title I of the Housing Act of 1949, as amended, the Housing and Home Finance Administrator is authorized to extend financial assistance to localities in the elimination and prevention of the spread of their slums and urban blight through the planning and undertaking of urban renewal projects; and,

WHEREAS, it is desirable and in the public interest that the City of Austin prepare surveys and plans presently estimated to cost approximately Eighteen Thousand Dollars, in order to determine the feasibility of undertaking and carrying out urban renewal projects of the character defined by Section 110(c) of Title I, in that certain urban area situated in the City of Austin, County of Travis, and State of Texas, and generally described as follows:

Being that certain area bounded by East Seventh Street on the south, by East Twelfth Street on the north, by East Avenue on the west, and by Chicon Street on the east;

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

Section 1. That the proposed survey area described above is a slum, blighted, deteriorated or deteriorating area and that the undertaking of surveys within the said area to determine whether the undertaking of urban renewal projects as defined by Section 110(c) of the Housing Act of 1949, as amended, in the proposed survey area described above, is hereby approved.

Section 2. That the financial assistance provided under Section 102 of the said Housing Act of 1949, as amended, to undertake surveys of urban areas is needed to enable the City of Austin to finance the undertaking of said surveys in the above described area.

Section 3. That the filing of an application by the City of Austin in an amount not to exceed Eighteen Thousand and Eight and no/100ths Dollars (\$18,008.00) for surveys in the urban study area described above is hereby approved and that W. T. Williams, Jr., City Manager, is hereby authorized and directed to execute and file such application with the Housing and Home Finance Administrator and to provide such additional information and to furnish such documentation as may be required by said Administrator and to act as the authorized representative of the City of Austin.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

Action on approving the contract with C. H. LESTER for construction of improvements to White Rock Drive, and sundry adjacent street in the vicinity of Gullette School, was deferred pending receipt of a letter from MR. BULLARD that he will pave his part, and an agreement from the County, that they will top the part of the road under their jurisdiction.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by W. M. Murfin as described in the Travis County Deed Records, and hereby authorizes the said W. M. Murfin to construct, maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said W. M. Murfin has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
November 1, 1956

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of W. M. Murfin, owner, through Monroe Baker, caretaker, of a piece of property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Winsor Road, as listed in the Travis County, Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately 30 feet beyond the normal high water level. The construction details meeting all requirements, I, therefore, recommend that if W. M. Murfin is granted his request by the City Council that it be subject to the following conditions:

"(i) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character, shall be erected on any pier, dock, wharf, float, island, piling or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the Lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in COMAL STREET, from a point 114 feet south of E. 12th St., Northerly to E. 12th St., the centerline of which gas main shall be 20 feet east of and parallel to the west property line of said COMAL STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in GROVER AVENUE, from a point 21 feet south of Houston Street, Northerly to Houston Street, the centerline of which gas main shall be $7\frac{1}{2}$ feet west of and parallel to the east property line of said GROVER AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in GROVER AVENUE, from Houston Street northerly 88 feet, the centerline of which gas main shall

be 4 feet east of and parallel to the east curb line of said GROVER AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in HARDY DRIVE from Justin Lane northerly 146 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet west of and parallel to the east property line of said HARDY DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(5) A gas main in ATTAYAC STREET from a point 85 feet south of E. 4th Street southerly 119 feet, the centerline of which gas main shall be 13 feet west of and parallel to the east line of said ATTAYAC STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(6) A gas main in CONCHO STREET from a point 182 feet north of E. 11th Street northerly 67 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet west of and parallel to the east line of said CONCHO STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
 Noes: None
 Absent: Councilman Pearson

Pursuant to published notice thereof the following zoning applications were publicly heard:

TEXAS RESTAURANT ASSOCIATION	2701-2801 Cole Street 2810 Interregional Highway	From "B" Residence 1st&5th To "C" Commercial 1st & 5th Height and Area RECOMMENDED by the Planning Commission
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The Mayor asked those who wished to grant the change to "C" Commercial 1st and 5th Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
 Noes: None
 Absent: Councilman Pearson

The Mayor announced that the change had been granted to "C" Commercial 1st and 5th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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V. M. CAROTHERS	4004-16 So. Congress Ave.& 100-112 Ortiz Street	From "C" Commercial To "C-1" Commercial RECOMMENDED
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The Mayor asked those who wished to grant the change to "C-1" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
 Noes: None
 Absent: Councilman Pearson

The Mayor announced that the change had been granted to "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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H. H. LUEDECKE & WM. H. LUEDECKE	1103 West 40th Street	From "A" Residence To "C" Commercial RECOMMENDED by the Planning Commission
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The Mayor asked those who wished to grant the change to "C" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
 Noes: None
 Absent: Councilman Pearson

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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L. FREEMAN, et al	901-03 West 38th Street	From "A" Residence
	3706-10 Gaffney Street	To "LR" Local Retail
		RECOMMENDED by the
		Planning Commission

The Mayor asked those who wished to grant the change to "LR" Local Retail to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
 Noes: None
 Absent: Councilman Pearson

The Mayor announced that the change had been granted to "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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LORENA McFARLAND	1101-D - 1103-D Springdale	From "A" Residence
	and 4600-4604 Preck Lane	To "B" Residence
		RECOMMENDED by the
		Planning Commission

The Mayor asked those who wished to grant the change to "B" Residence to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
 Noes: None
 Absent: Councilman Pearson

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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C. D. DAVIS	5325 Airport Boulevard	From "A" Residence and
	800-824 East 53 $\frac{1}{2}$ Street	"C" Commercial
	5310-5506 Helen Street	To "C" Commercial
		RECOMMENDED

Mrs. Anschutz expressed opposition but withdrew. The Mayor asked those who wished to grant the change to "C" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller
 Noes: None
 Absent: Councilman Pearson

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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MRS. MARY MADELEY 711 West 14th Street

From "B" Residence
To "O" Office
RECOMMENDED by the
Planning Commission

Opposition for his neighbors was expressed by Mr. Schulle, but he withdrew his opposition. Mrs. Madeley appeared in her own behalf. The Council postponed action until next Thursday.

SIDNEY F. WRIGHT & 1903-07 & 2201 N.Lamar
N. J. RABENSBURG 1306-08 & 1309-11 West
22nd Street

From "BB" Residence
To "O" Office
NOT Recommended by the
Planning Commission

Mr. Sidney Purser asked postponement until next week. Dr. Brace objected to both postponement and the zoning. The Council postponed action until next Thursday.

W. ELLIOTT McVEY 902 East 49th Street &
4901-03 Airport Boulevard

From "A" Residence
To "GR" General Retail
RECOMMENDED by the
Planning Commission

Mr. McVey appeared in his own behalf. Mr. Gibson Randle expressed opposition for his client, Paul Smothers, and filed a petition of opposition from a majority of property owners within 200 feet of the property, and pointing out deed restrictions. The Council postponed action until next Thursday.

MR. DICK PETTWAY appeared before the Council regarding property which he recommended to be purchased as a site for a branch library. The Council wanted to make an inspection of the lot.

The City Manager submitted a request from the property owners on Avondale Road for paving, but the street is 25' wide and the curbs are in place. The Council agreed, if everyone of the property owners were signed up and wanted the 25' street.

The Council discussed the proposed contract with REMINGTON RAND DIVISION of SPERRY RAND CORPORATION for redistricting the utility meter accounts. After much discussion, Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager be and he is hereby authorized to execute contracts for the furnishing of personal and professional services by Remington Rand Division of Sperry Rand Corporation for redistricting the utility meter accounts of the City of Austin at a rate of \$169.50 per thousand meters redistricted; to prepare and file utility customer service records at a rate of \$95.20 per thousand accounts handled; and to prepare and post utility customer history records at a rate of \$90.63 per thousand accounts handled.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

The City Manager recommended that an Architect be appointed to draw the plans for the Library. The fees would be financed under existing bond money.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on October 30, 1956, for the purchase of four (4) 750 G.P.M. pumping Engines and one (1) 65-foot aerial ladder truck, to be used by the Fire Department of the City of Austin; and,

WHEREAS, the bid of Peter Pirsch & Son, of Kenosha, Wisconsin, in the sum of \$51,052.00 was the lowest and best bid for the four (4) 750 G.P.M. pumping engines; and,

WHEREAS, the bid of Peter Pirsch & Son, of Kenosha, Wisconsin, in the sum of \$23,975.00 for one (1) 65 foot aerial ladder truck is recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said bids of Peter Pirsch & Son, be and the same are hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, is hereby authorized and directed to execute contracts on behalf of the City of Austin with Peter Pirsch & Son.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Long, Palmer, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

MAYOR MILLER asked that a study be made of the copper prices; that the price was going down. He would like to know how the utilities were coming out on their contracts.

MR. BLODGETT reported that the dead-line for receiving the deposits for water taps in the St. John's Addition was November 1st, and all deposits had not been made. The Mayor suggested if they wanted another month, to give them that much more time.

There being no further business the Council adjourned at 4:30 P.M. subject to the call of the Mayor.

APPROVED:

Tom Miller

Mayor

ATTEST:

Elin Hoosley
City Clerk